HIGH COURT OF UTTARANCHAL AT NAINITAL
Writ Petition No. 185 (M/S) of 2006
With
Interim Relief Application No.2240/06

Dev Das S/o Late Surendra Prakash Vasudev
R/o 1, Chakrata Road, Dehradun. ...Petitioner

Vs.

1. Additional District Judge/ F.T.C VI, Dehradun.
2. Life Insurance Corporation of India,
   Mumbai (Maharashtra) through Branch Manager
   Life Insurance Corporation of India,
   4 Chakrata Road Dehradun. ....Respondents

Sri Alok Singh, Sr. Adv. assisted by Sri Gopal Narain learned counsel for the petitioner.
Sri Nand Prasad learned Standing Counsel for the State.
Sri M.C. Kandpal, Sr. Adv., assisted by Sri Kurban Ali, learned counsel for the respondent no.2.

Dated: 03-3-2006

Hon'ble B.S. Verma, J.

Heard Sri Alok Singh, Senior Advocate learned counsel for the petitioner assisted by Sri Gopal Narain, Advocate and Sri Nand Prasad learned Standing counsel for the State and Sri M.C. Kandpal, Senior Advocate learned counsel for the respondent no.2, Sri Kurban Ali, Advocate.

The present writ petition has been filed by the petitioner with a prayer for direction to the respondent no.1 to decide the S.C.C. Suit No. 14 of 2002, Dev Das Vs. L.I.C. of India pending before it expeditiously.

According to the petitioner-plaintiff he filed an S.C.C. Suit before the Judge, Small Cause Court Dehradun on 21-8-2002, which was registered as S.C.C. Suit No. 14 of 2002 against the respondent no.2 for recovery of rent and eviction. The defendant

filed his written statement and the plaintiff-petitioner filed rejoinder. It is alleged that the defendant –respondent no.2 is taking frequent adjournment in the case to prolong the proceedings unnecessarily and the delay is likely to cause injury to the petitioner.

In the facts and circumstances of the case, considering the fact that the S.C.C. Suit is pending since the year 2002, it is expedient in the interest of justice to direct the respondent no.1 to decide the S.C.C. Suit No. 14 of 2002, Dev Das Vs. L.I.C.of India, expeditiously preferably within a period of six months from the date of production of certified copy of this order.

With the above observation, the writ petition is disposed of finally.

(B.S. Verma, J.)

Dated: 3-3-2006
MK